

**MINUTES FOR THE SEMINOLE COUNTY  
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION  
MAY 7, 2008**

**Members present:** Matthew Brown, Ben Tucker, Dudley Bates, Walt Eismann, Rob Wolf, Kim Day and Melanie Chase.

**Also present:** Alison Stettner, Planning Manager; Tina Williamson, Assistant Planning Manager; David Shields, Assistant County Attorney; Dori DeBord, Planning and Development Director; Larry Poliner, Development Review Manager; Ian Sikonia, Senior Planner; Austin Watkins, Senior Planner; Joy Williams, Planner; Sheryl Stolzenberg, Principal Planner; Tony Matthews, Principal Planner; Dick Boyer, Senior Planner; Jeff Hopper, Senior Planner; and Connie R. DeVasto, Clerk to the Commission.

**OPENING BUSINESS:**

The meeting convened at 7:00 P.M. with Chairman Brown leading the Pledge of Allegiance. The Chairman then introduced the Commission members and reviewed the procedure used for conducting the meeting and the voting.

**Acceptance of Proof of Publication**

**Commissioner Eismann made a motion to accept the proof of publication.**

**Commissioner Bates seconded the motion.**

**The motion passed unanimously 7 – 0.**

**Approval of Minutes**

**Commissioner Eismann made a motion to accept the minutes as submitted.**

**Commissioner Bates seconded the motion.**

**The motion passed unanimously 7 – 0.**

**NEW BUSINESS:**

**Technical Review Item:**

**1. Lawson Landings Preliminary Subdivision Plan; R&K Construction, LLC, Kevin Roy, applicant; 9.4± acres; Preliminary Subdivision Plan approval for a 63-lot single family subdivision zoned R-AH; located west of Airport Blvd., between 20<sup>th</sup> and 22<sup>nd</sup> Streets.**

Commissioner Carey – District 5  
Alan Willis, Planner

Brian Walker presented the Preliminary Subdivision Plan on behalf of Alan Willis and stated that the property will be served by the City of Sanford water and sewer and meets all the conditions of the Seminole County Land Development Code. Mr. Walker further advised the Commission that the request is actually for 63 lots and not 60 lots as listed. Staff recommendation is for approval of the Preliminary Subdivision Plan.

Commissioner Tucker inquired as to whether the change in the number of lots was reflected in the legal advertisement of this item.

Tina Williamson advised the Commission that there is no legal requirement for advertising on these types of agenda items.

Commissioner Wolf asked how this would affect the property density and square footage of the lots.

Mr. Walker stated that for one dwelling unit, the lot size would be 3600 square feet minimum. He further stated that for two dwelling units affordable housing, the lot size would be 7200 square feet, minimum.

Commissioner Wolf asked if this meant that the density per acre is unchanged.

Mr. Walker advised that it would fit what they are looking to do.

Mrs. Williamson stated that it works out to be 6.7 dwelling units per acre which is permitted in the R-AH zoning. Mrs. Williamson further stated that in the R-AH zoning district, there is a maximum of 7 dwelling units per acre allowed.

**Commissioner Eismann made a motion to recommend approval of the plan as presented.**

**Commissioner Bates seconded the motion.**

**The motion passed unanimously 7 – 0.**

**2. National Retail Properties: Monica Pomroy, Interplan LLC, applicant; 2.91± acres; Preliminary Subdivision Plan approval for 2 commercial lots; located on the southwest corner of Ronald Reagan Boulevard and Highway 17-92.**

Commissioner McLean – District 2  
Tony Walter, Principal Planner

Brian Walker presented the Preliminary Subdivision Plan on behalf of Tony Walter and stated that the property meets all the conditions of the Seminole county Land

Development Code. Mr. Walker also stated that the subject property will have Seminole County water and sewer service. Staff recommendation is for approval of the Preliminary Subdivision Plan.

**Commissioner Eismann made a motion to recommend approval of the plan as presented.**

**Commissioner Wolf seconded the motion.**

**The motion passed unanimously 7 – 0.**

**3. Bella Woods PSP; H. L. R E Investments, LLC, Larry Hodges, applicant; 13.34 acres; Preliminary Subdivision Plan approval for 6 single family residential lots; located on the north side of Dike Road, approximately 900 feet east of the intersection of Tuskawilla Road and Dike Road, in Section 25, Township 21 S, and Range 30 E.**

Commissioner Dallari – District 1  
Cynthia Sweet, Senior Planner

Brian Walker presented the Preliminary Subdivision Plan on behalf of Cynthia Sweet and stated that Seminole County is the utility provider for potable water and the use of private septic tanks will be used. Mr. Walker also stated that this request meets all the conditions of the Seminole County Land Development Code. Staff recommendation is for approval of the Preliminary Subdivision Plan.

Commissioner Chase inquired as to how this item got to them because it had been before the Commission before.

Tina Williamson advised that this item came to the Commission previously as a rezone request and now they are going through the Preliminary Subdivision Plan process because their rezone was approved.

Commissioner Eismann inquired as to how this is going to affect drainage to the residents to the east.

Larry Poliner advised that all stormwater will be held on site. The site will completely hold the 100 year storm event and there would be no run-off.

Commissioner Brown inquired as to prior discussions regarding the road improvements and what was going to happen with the flow of the water.

Mr. Poliner advised that they measured the road and it's actually 15 feet wide and it's a dead-end road. Mr. Poliner advised that they are going to allow them to widen to 20 feet and they are going to over-treat their ponds on-site.

Commissioner Wolf stated that, because the property to the west is on wells and they are talking about septic tanks, wouldn't this cause some water issues.

Mr. Poliner advised that there shouldn't be any issues as there is a minimum separation between the septic tanks and the property line.

**Commissioner Eismann made a motion to recommend approval of the plan as presented.**

**Commissioner Day seconded the motion.**

**The motion passed unanimously 7 – 0.**

**Public Hearing Items:**

**4. Comprehensive Plan; Seminole County Planning Division.** Evaluation and Appraisal Report-Based Amendments to the Elements of the Seminole County Comprehensive Plan.

Countywide  
Sheryl Stolzenberg, Principal Coordinator.

Sheryl Stolzenberg stated that the State requires that our Comprehensive Plan be updated every 7 years. She also stated that new laws must be addressed during this time.

Ms. Stolzenberg advised the Commission of the additional efforts the Planning Division has been working on such as the Rural Character, the 17-92 Corridor, Workforce Housing and the EAR.

Ms. Stolzenberg presented a PowerPoint presentation which listed the EAR Major Issues such as Neighborhood Protection, Intergovernmental Coordination, Libraries, Protection of HIP for Target Industries, Infill Development and Redevelopment, Accessible and Understandable Plan, Affordable Housing and Drainage Needs.

Mal Martin of 1450 Lake Harney Road, who is with the Geneva Historical Society, spoke in favor of the Comprehensive Plan and asked that, under the FLU Exhibit 14, Staff make mention of the Geneva Freshwater Lens Protection Act to ensure protection of this aquifer.

Richard Creedon of 1172 Apache Drive, who is with the Geneva Citizens Association, spoke in favor of the Comprehensive Plan and discussed his thoughts on what "rural" meant to him and his hope that Staff maintain the rural character of this area.

Deborah Schafer of 1740 Brumley Road, who is with the Chuluota Community Association, spoke in favor of the Comprehensive Plan, but had several concerns, such as the need for stronger water conservation language, preservation of the rural areas; the Seminole Way not expanding into the rural areas, and the HIP Target Industry

should reflect the Seminole Way. Ms. Schafer further stated that she believed the Design Principals were excellent.

Francoise Ager of 1792 S. Magnolia Avenue, who spoke on behalf of Mike Barr and advised the Commission that they support the Resolution for the 17-92 Corridor and "Keep Seminole Beautiful".

Don Peterson of 3585 Canal Street, who is with the Black Hammock Society, advised that they support the wetlands and natural lands language and asked that section DES-5 be explained to him. Dori DeBord went over this section with Mr. Peterson when he returned to the audience.

Pat Southward of 316 Oak Leaf Circle, who is with the League of Women Voters, stated their concern that Seminole County lowered its standard for library services. They would like Staff to make sure that Seminole County maintains the library services.

Commissioner Brown inquired as to why there was an omission of library services.

Ms. Stolzenberg advised the Commission that Seminole County is not mandated to include library services.

Alison Stettner advised the Commission that after a discussion of Mr. Peterson's concerns with Dori DeBord, Staff was agreeable to the addition of language regarding the Geneva Lens and modifying the Seminole Way language.

After viewing the map that had been placed on the overhead projector, Commissioner Brown asked if the Rural Character was located at the back of the property instead of where it was located on the map.

Commissioner Wolf stated that the line on the map was correct.

Commissioner Brown, when reading over the list of ten items presented to them by Staff, inquired as to whether or not the language regarding prohibiting manufactured homes was legal.

David Shields advised the Commission that the County Attorney's Office is looking into this issue.

Commissioner Chase stated that since not all of the Commissioners agree on the ten items, she would like to go over them one by one.

Commissioner Tucker inquired as to what the procedure was to take this to the Board of County Commissioners.

Mrs. Stettner advised that the Planning and Zoning Commission writes the plan and provides the Board of County Commissioners with their recommendation. She further

stated that the ten points would be discussed tonight and then considered by the Board of County Commissioners.

Mrs. Stettner also advised that Staff would like the Planning and Zoning Commission to transmit the Comprehensive Plan, as they have reviewed it, with any considerations that they feel need to be considered by the Board of County Commissioners.

Mrs. Stettner further stated that the majority of the changes the Planning and Zoning Commission discussed in their previous work shops, are included in their agenda packet.

Commissioner Chase asked if the lighting definition had been included.

Mrs. Stettner advised that it could be added tonight.

Commissioner Brown asked if it would be added under the Land Development Code.

Mrs. Stettner advised that it would be.

Mr. Shields advised the Commission that the issue of the manufactured homes can be addressed in the Land Development Code. He further stated that the County Attorney's Office would need to review it.

Commissioner Tucker asked how it is currently addressed.

Mr. Shields reiterated that this issue does not have to be in the Comprehensive Plan and suggested that it be addressed in the Land Development Code.

Commissioner Brown inquired as to the difference between the list of sixteen issues and the list of ten issues.

Mrs. Stettner stated that the list of ten issues is a summary of the sixteen issues.

Commissioner Eismann stated that the list of sixteen were discussed in previous workshops and conferences.

Commissioner Tucker inquired as to whether there were other groups who have reviewed the Plan and if so, where are their recommendations or comments.

Mrs. Stettner advised the Commission that Staff sent copies to the Development Advisory Board and the East Rural Area.

Commissioner Tucker inquired as to what kind of input Staff received from the Development Advisory Board.

Mrs. Stettner stated that Staff has not received any verbal or written comments that have not been shared with the Planning and Zoning Commission to date.

At this time, discussion ensued regarding the summary list of ten issues with Staff.

**Commissioner Eismann made a motion to recommend transmittal of the Comprehensive Plan by the Board of County Commissioners.**

**Commissioner Bates seconded the motion.**

Commissioner Bates thanked Staff for their hard work in putting together the updated Comprehensive Plan.

Mrs. DeBord thanked the Commissioners for their recognition and for going above and beyond to care about Seminole County enough to go over the entire Plan.

**The motion passed unanimously 7 – 0.**

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**At this time, the Commission took a 5 minute break**

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**5. Cattle Drive Trail Rezone; Pauline M. Saucer, Ann C. Saucer, and Jay F. Saucer, applicants; 56.0± acres; Rezone from A-5 (Rural) to A-10 (Rural); located on the east side of Cattle Drive Trail, north of Osceola Road. (Z2008-16)**

Commissioner Carey – District 5  
Brian Walker, Senior Planner

Brian Walker stated that the applicant is requesting a rezone from A-5 (Rural) to A-10 (Rural) in order to meet the qualifications pursuant to the regulations outlined for the Family Subdivision in Section 35.72 (e) of the Land Development Code. The Family Subdivision facilitates the continuance of the family farm. It allows subdividers who have been actively farming or ranching for the past three years, to subdivide a parcel zoned A-10 into no more than three total lots. The parent parcel must be at least ten acres in size and the two newly created lots must be at least one net buildable acre in size. These newly created lots can only be sold or transferred to the subdivider's immediate family. Staff has determined that, with the exception of the A-10 zoning classification, the applicant meets all conditions required to pursue a Family Subdivision.

Staff recommends approval of the request to rezone 56.0 ± acres from A-5 (Rural) to A-10 (Rural); located on the east side of Cattle Drive Trail; north of Osceola Road.

Commissioner Tucker asked Staff if they could recall any other types of requests like this in the past.

Tina Williamson stated that there have been some instances of a Family Subdivision in the past, but none with a rezone request.

A discussion ensued by the Commission regarding this type of request.

Commissioner Tucker asked Staff if the applicant will have to come back before the Commission regarding the subdivision.

Mrs. Williamson advised that they did not have to come back before the Planning and Zoning Commission.

Mr. Walker advised the Commission that the applicants are required to treat this as a "lot split".

Commissioner Tucker stated that, when viewing the subject property, he didn't believe there would be enough room for large vehicles such as emergency vehicles to maneuver on the road.

Mr. Walker advised the Commission that there are certain stipulations that will have to be met regarding access to the road.

Jay Saucer, son of the applicant, advised the Commission that this is an active farm with many farm animals and they wish to preserve the family farm. Mr. Saucer further advised that there is plenty of room for emergency vehicles to access the property.

No one spoke in favor or opposition from the audience.

**Commissioner Tucker made a motion to recommend approval the request.**

**Commissioner Wolf seconded the motion.**

**The motion passed unanimously 7 – 0.**

**6. Timocuan Way Rezone; Sunshine Building & Development Corp., Mike Hattaway/Albert Land, applicants; 3.09± acres; Rezone from A-1 (Agriculture) to C-3 (General Commercial & Wholesale); located approximately 2 miles south from the intersection of General Hutchison Parkway and Timocuan Way. (Z2008-07)**

Commissioner Henley – District 4  
Joy Williams, Planner



Joy Williams stated that the applicant is requesting to rezone from A-1 (Agriculture) to C-3 (General Commercial & Wholesale) for 3.09 ± acres, located approximately 2 miles south from the intersection of General Hutchison parkway and Timocuan Way in order to allow for future development that is consistent with the permitted uses in the C-3 zoning district.

Mrs. Williams also stated that the subject property has an Industrial Future Land Use designation that has been in place since the mid 1980s; which allows for the C-3 zoning district. Further, at the time of site plan, the property will be required to meet all Active/Passive buffer setback design standards in accordance with Section 30.1232 of the Land Development Code. These standards will apply on the east and south side of the site in order to minimize impacts on the adjacent residential uses.

Mrs. Williams stated that Staff finds that the requested zoning district is compatible with the surrounding zoning and land use patterns and therefore, would recommend approval of the request to rezone from A-1 to C-3 on the subject property.

Mrs. Williams also pointed out that Staff has received several letters of opposition.

Mike Hattaway, who represents the owner, John Bush, advised the Board that they want to come in to compliance with the land use map and with the trend of development. Mr. Hattaway further advised that this is the last piece of property to fill in with the industrial use.

Mr. Hattaway advised that the Applicant will meet all the requirements as required in the Active/Passive Buffer Code.

No one spoke in favor of this item from the audience.

Butch Bundy, Deputy Mayor and City Commissioner for the City of Longwood, spoke in opposition on behalf of the City Commissioners and the adjacent property owners.

Mr. Bundy stated that just because the future land use is allowed, it doesn't mean that the property owners are entitled to change the zoning. Mr. Bundy also stated that the adjacent property owners are still being affected by the fall-out from the existing C-3 rezoned property with noise and dust on a daily basis.

Mr. Bundy stated that the County's Comprehensive Plan requires "transitional land uses" to buffer residential uses. He further stated that commercial uses are not considered appropriate transitional land uses when adjacent to low density residential property.

Mr. Bundy also stated that as presented, this request appears to violate the County's Comprehensive Plan policy. He further stated that the A-1 zoning that currently exists on the property is consistent with the property's future land use designation.

Mr. Bundy stated that this request will negatively impact the surrounding residents as well as the environmentally sensitive land to the north and to the northeast of this property.

Cindy Bieloh of 748 Meadowlark Court, spoke in opposition of this request as she is adjacent to the subject property and has experienced many negative affects such as noise, the smell of diesel fuel, dust, the sound of large trucks beeping while they are backing up, and the ground shaking from the movement of all of the trucks. She advised that the noise is so loud sometimes that she can not hear when she is trying to talk on the phone.

Ms. Bieloh expressed her concern for the wetlands due to the current industrial business dumping liquids on the ground next to her back yard and for the noise pollution that will be forthcoming if this rezone is approved.

Robert Meeks of 740 Meadowlark Court North, spoke in opposition to this request due to the fact that when he moved to the property, he had no idea that his property would be surrounded by all the fumes, noise and large trucks since the properties were rezoned to C-3.

Mr. Meeks asked that the Commission consider all of the opposition to this request and to possibly come to some type of compromise when making the decision to rezone the subject property to C-3.

Walter Overby submitted a speaker form in opposition to this request. However, Mr. Overby did not want to speak publicly, but did express his concern in writing regarding the noise pollution.

William Hackett of 756 North Meadowlark Court, spoke in opposition to this request and stated that this rezone would harm Solder's Creek and the new trails which tie in with the sanctuary that goes to Lake Jessup. He asked that the Commission not approve this request.

Kim Badke of 709 Raven Avenue, spoke in opposition and stated that her property is adjacent to the subject property and asked that, if the Commission approves this request, could they have the new site pushed further back than the original plans to give them more space between their home and the new commercial project.

Mr. Hattaway advised the Commission that this area has a future land use of industrial and has had since the 80's. Mr. Hattaway further stated that they are keeping with the trend of development in the area.

Mr. Hattaway further stated that it is one of their goals to mitigate their impacts to the neighbors. He also reiterated the purpose of the Active/Passive Buffer code and the fact that they are doing exactly what is required of them in accordance with this code.

Commissioner Tucker asked Staff if there are any existing code violations on the property.

Mrs. Williamson advised that Staff has been informed by Code Enforcement that they are currently investigating the site, but have not been informed of what violations they found.

Commissioner Tucker asked if that was the site, the C-3 zoned property next to it or both.

Mrs. Williamson advised that it is the property that is currently zoned A-1.

Commissioner Tucker asked if there were any Sheriff's Office reports regarding noise issues.

Mrs. Williamson advised that she was not aware of any.

Commissioner Tucker inquired as whether there is any non-conforming issues on the C-3 property.

Mrs. Williamson advised that she is only aware of an ongoing investigation of the A-1 property and is not aware of any investigations on the C-3 property at this time.

Commissioner Tucker inquired as to what type of code violation is being investigated on the A-1 property.

Mrs. Williamson advised that there seems to be some type of business being run on that property which is not a permitted use in the A-1 zoning district.

Commissioner Tucker asked Staff if a residence is allowed on C-3 zoned property and a general discussion ensued regarding what is allowed on a C-3 zoned property as it relates to the current C-3 property adjacent to the subject property.

General discussion ensued regarding the utility easement area located on the subject property and how that could be considered a buffer between the subject property and the adjacent property owners.

Commissioner Tucker inquired as to whether the County has noise limits.

Mrs. Williamson advised the Commission that the County does have a noise ordinance and any complaints would go through the Sheriff's Office.

Commissioner Tucker asked Mrs. Williamson if she is aware of any noise complaints being registered.

Mrs. Williamson advised not at this time and that this is the first she has heard that there was a problem with noise.

General discussion ensued regarding the surrounding properties and how they relate to the subject request as well as the current buffer requirements and any future buffer requirements that might come up in the future.

Commissioner Eismann asked Staff to explain the transition from C-3 to residential and how that is compatible.

Mrs. Williamson stated that Staff looked at the fact that the industrial future land use already exists on the property. She further stated that if they had come in asking for a future land use amendment to take it from something else to industrial, Staff would apply the Transitional Land Use Table that is in the Comprehensive Plan that's applied to land use amendments.

Mrs. Williamson stated that in this case, that level of review is not required because the land use of industrial is already in place. The Active/Passive Buffer standards in the code recognize that in cases where there is existing industrial adjacent to residential, that's where the active/passive buffers come in to play.

Commissioner Tucker inquired as to what Staff has in place to prevent drainage from escaping the property and going into the wetlands under straight zoning.

Mr. Poliner advised that it has nothing to do with zoning. It has to do with whether the property is called an "open or closed basin" and where the drainage goes now. If it does go to Solder's Creek, then it would be an open basin and they would have to do the normal stormwater requirements. If it is a closed basin, then it would have to hold the 100 year storm event on the site.

General discussion ensued regarding the drainage issue and how it would not impact Big Tree Park and the environment.

**Commissioner Eismann made a motion to recommend approval the request.**

**Commissioner Day seconded the motion.**

General discussion ensued regarding run-off or sheeting and if there is a need for some type of retention pond on the subject property.

Mr. Poliner advised that if they will be storing trucks, they will be required to have some stormwater requirements out there.

Commissioner Wolf commented on the fact that if this is approved, in addition to the possible current code violation, the Applicants would immediately be in violation of

operating a business without implementing these requirements, such as the active/passive buffer and not having a retention pond.

Mr. Poliner advised that they will be in violation of using that property for a use that is not proper for that zoning.

Commissioner Wolf stated that if this request is approved by the Board of County Commissioners, then the Applicants will have to immediately meet the requirements.

Mr. Poliner advised that if it is approved, they will institute a Development Order that will include all the requirements, including hours of operation.

Commissioner Brown advised that it is not 2 miles from the intersection, it's closer to 2000 feet.

Commissioner Eismann amended his motion to state 2000 feet from the intersection.

Commissioner Day agreed with the amended motion.

**Motion passed 6 – 1. Commissioner Wolf voted “no”.**

**7. Bear Lake Village Rezone and Small Scale Future Land Use Amendment; Andre Anderson, applicant; SSLUA (Small Scale Land Use Amendment) from OFF (Office) and COM (Commercial) to PD (Planned Development) and Rezone from OP (Office) to PCD (Planned Commercial Development); located at the southwest corner of the intersection of SR 436 and S. Hunt Club Blvd. (Z2008-11)**

Commissioner Van Der Weide - District 3  
Austin Watkins, Senior Planner

Austin Watkins stated that this is a Small Scale Land Use Amendment from OFF (Office) and COM (Commercial) to PD (Planned Development) and a rezone from OP (Office) to PCD (Planned Commercial Development) for 1.198 ± acres located at the southwest corner of SR 436 and S. Hunt Club Blvd.

Mr. Watkins stated that the subject property was rezoned in June 1985 to OP to allow for a single-story office building. In 1988, the subject property was constructed as a part of the Bear Lake Village Shopping/Office Center. In November 2007, the property was cited by the Seminole County Sheriff Department's Code Enforcement Division for non-compliance with the Seminole County Land Development Code.

Mr. Watkins stated that the code violations are four tenants within the building are uses that are not permitted in the OP zoning classification. Mr. Watkins stated that those are a coffee shop, dog groomer, nail salon and an indoor amusement facility.

Mr. Watkins stated that the applicant is requesting to rezone the property to PCD to allow for C-1 uses with exclusions and gave a list of the exclusions associated with C-1.

Mr. Watkins stated that in order to make the C-1 uses compatible with the adjacent residential area, the applicant is proposing the following conditions of approval in addition to the limitations of uses: no new trash dumpster shall be located on the subject property; all restaurant and specialty coffee or food establishments will not remain open after 10:00 p.m. Mr. Watkins further stated that the applicant is proposing no changes to the existing site, except to enhance the existing buffering adjacent to the residential area.

Mr. Watkins stated that Staff evaluated whether the character of the surrounding area has changed enough to warrant a different land use designation being assigned to the property and found that the Commercial FLU and commercial uses are the existing predominant use along both the south-side and north-side of the SR 436 corridor.

Mr. Watkins stated that Staff evaluated whether the proposed use is compatible with surrounding development in terms of community impacts and adopted design standards of the Land Development Code and found that the proposed Preliminary/Final Master Plan demonstrates a compatible transition between Low Density Residential FLU and the proposed uses. This transition is achieved by the proposed buffering standards, limitations on uses and hours of operation and other conditions of approval.

Mr. Watkins discussed Policy FLU 5.3: Strip Commercial Development, which states that commercial and retail uses shall be located adjacent to collector and arterial roadway intersections to maintain road capacity and not set a precedent for further strip development.

Mr. Watkins' evaluation revealed that the subject property is located adjacent to collector and arterial roadway intersections in that SR 436 has been designated by the Florida Department of Transportation as an Urban Principal Arterial roadway and Hunt Club Boulevard is designated as a Collector roadway by the Seminole County Public Works Department. Mr. Watkins further stated that the site has direct access to the signalized intersection of SR 436 and S. Hunt Club Boulevard.

Mr. Watkins further discussed Policy FLU 5.3 which also states that Strip Commercial Development shall be located where commercial uses are the predominant existing use along the roadway in both directions from the site and, therefore, the property development represents infill development.

Mr. Watkins further discussed Policy FLU 5.3 which also states that Strip Commercial Development shall be located within a mixed use planned development to provide convenient retail services and reduce residential traffic on area roadways.

Mr. Watkins' evaluation revealed that the subject property is not located within a mixed use planned development.

Mr. Watkins further discussed Policy FLU 5.3 which also states that Strip Commercial Development shall be located adjacent to residential areas only where compatibility with the residential area can be maintained in order to preserve viability and community character.

Mr. Watkins' evaluation revealed that the proposed Planned Development FLU and Planned Commercial Development zoning classification allow for compatibility between the existing single-family subdivision to the south and west. Also, the proposed buffers, uses, and conditions allow for a transition. The applicant is proposing uses which are consistent with the Neighborhood Commercial definition in the Seminole County Comprehensive Plan which allows for less intensive uses and impacts versus Community/Regional Commercial.

Staff has reviewed the Active/Passive Buffer waiver request and its impact on the residents of the Ilesdale Manor Subdivision and recommends approval of the Passive Buffer reduction. Staff has determined the site conditions warrant a less intensive buffer for the following reasons: the existing canopy trees and hedges are mature, the site was originally constructed in 1988, there is no drive aisle between the building and the single-family residential and the lack of a continual pedestrian connection between the rear and side of the building, therefore making deliveries adjacent to the residential area more difficult.

Staff has reviewed the Final Site Plan/Developer's Commitment Agreement and has determined that it meets all conditions of approval as outlined in the proposed Development Order. If approved, this rezone and SSLUA will bring the subject property into compliance with the Seminole County Land Development Code and will resolve the pending code enforcement violations on this property.

Staff recommends approval of a Small Scale Land Use Amendment from OFF (Office) and COM (Commercial) to PD (Planned Development) and a rezone from OP (Office) to PCD (Planned Commercial Development), for 1.198 ± acres located at the southwest corner of SR 436 and S. Hunt Club Boulevard and recommends approval of the attached Final Site Plan, Development Order and Developer's Commitment Agreement based on Staff findings.

Andre Anderson, who represents the owner, was present and stated that he supports staff recommendation and advised the Commission that he would like to clear the code violation. Mr. Anderson further stated that they have installed vinyl fencing and screening above the wall and they want to be a good neighbor.

No one spoke in favor of the application from the audience.

Gerald Green of 3320 Chadwick Road stated that he was opposed to this request. Mr. Green gave a brief history of this area and stated that he was very happy with the current OP zoning. Mr. Green further stated that there is no access in the back of the

building and gave a brief history of his involvement in this process with the Planning and Building Divisions. Mr. Green asked the Commission to take his opposition into consideration.

Mr. Anderson advised that they want to be a good neighbor and that the existing buffer is very severe to keep it separated from the neighborhood.

Commissioner Tucker inquired as to the status of Snowball Dental Lab.

Mr. Watkins advised that Staff is still waiting for a signed Development Order from the Applicants.

Commissioner Tucker asked if Snowball Dental Lab and the proposed request would change the trend in this area.

Mr. Watkins stated that they meet the standard.

Two speaker forms were received in opposition from Raul Perez of 704 Virginia Lane and Israel Rodriguez of 703 Virginia Lane. However, they did not want to speak publicly.

**Commissioner Tucker made a motion to recommend approval the request.**

**Commissioner Bates seconded the motion.**

Commissioner Day inquired as to why there is a condition that does not allow another dumpster.

Mr. Watkins stated that they can not have a new dumpster on the property.

Mr. Anderson stated that they are requiring the store to have a compactor installed inside the store so that they will have less to carry to the central dumpster, which is used by all the tenants on this property.

General discussion was had by the Commission on the other types of businesses in the area and of the request before them.

Dori DeBord, Planning and Development Director, advised the Commission that Staff is trying to find a solution to the code enforcement violation and possible abatement if this item is not approved.

**The motion passed unanimously 7 – 0.**

**8. Major Amendment to the Alaquá Lakes PUD; Robert Dello Russo, applicant; 10.29 ± acres; Major Amendment to the Alaquá Lakes PUD (Planned Unit**



Development); located at the northwest corner of Markham Woods Road and S Stone Gate. (Z2007-23)

Commissioner Carey – District 5  
Austin Watkins, Senior Planner

Austin Watkins stated that this is a Major Amendment to the Alaqua Lakes PUD for 10.29 ± acres. He further stated that the Final Master Plan was approved by the Board of County Commissioners on September 22, 1992 and a subsequent Major Amendment in 2001. Currently, the PUD is approved for 515 units, at an overall net density of .977 dwelling units per net buildable acre. At this time, the Applicant desires to remove Tract V from the Alaqua Lakes PUD. Tract V contains approximately 10.29 acres and is located on Markham Woods Road. It is currently approved for 3 one-acre lots and is separated from the Alaqua Lake PUD by 148 acres of wetlands. Tract V also has a separate entrance off of Markham Woods Road and cannot internally access the Alaqua Lakes development.

Mr. Watkins further stated that the Applicant desires to remove this tract from the PUD and the subsequent item titled Dello Russo PUD will actually rezone that property from PUD to PUD. That item will propose one single-family dwelling and one guest home.

Mr. Watkins also advised that the President of the Alaqua Lakes Homeowners Association has submitted a letter stating that the Association has agreed to Tract V being de-annexed from the Alaqua Lakes PUD subject to the execution and recording of an agreement between the Applicant and the Association.

Mr. Watkins stated that Staff recommends approval of the requested Major Amendment to the Alaqua Lakes PUD, Revised Final Master Plan and Addendum # 1 to the Alaqua Lakes PUD Developer's Commitment Agreement for 1,250.9 ± acres, located at the northwest corner of Markham Woods road and South Stone Gate.

Brian Davis, who is representing the owner, stated that the Applicant purchased the three lots and his desire is to bring that one lot outside the Alaqua PUD and Staff advised the Applicant that in order to do that, he needs to create his own PUD which is next on the agenda.

Mr. Davis stated that they did meet with the Homeowners Association and received approval for this request.

No one from the audience spoke in favor or opposition of this request.

**Commissioner Wolf made a motion to recommend approval the request.**

**Commissioner Bates seconded the motion.**

**The motion passed unanimously 7 – 0.**

**9. Dello Russo PUD Rezone; Robert Dello Russo, applicant; 10.29 ± acres; Rezone from PUD (Planned Unit Development) to PUD; located at the northwest corner of Markham Woods Road and S Stone Gate. (Z2007-23)**

Commissioner Carey – District 5  
Austin Watkins, Senior Planner

Tina Williamson stated that at the pleasure of the Commission, Staff does not need to present this item as it is a continuation of the previous item creating the new PUD.

No one from the audience spoke in favor or opposition of this request.

**Commissioner Chase made a motion to recommend approval the request.**

**Commissioner Wolf seconded the motion.**

**The motion passed unanimously 7 – 0.**

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**At this time, the Commission took a 5 minute break**

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**10. CA Stone West PUD Small Scale Land Use Amendment and Rezone; Javier Omana, CPH Engineers, Inc., applicant; 1.55 ± acres; Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development); located on the south side of Red Bug Lake Road, approximately 250 west of Red Bug Lake Road and Slavia Road.  
(Z2007-51 / 10-07SS.05)**

Commissioner Dallari - District 1  
Austin Watkins, Senior Planner

Austin Watkins stated that this is a Small Scale Land Use Amendment and rezone. The subject property is approximately 1.55 acres ± and is located approximately 250 feet west of Red Bug Road and Slavia Road. He further stated that the Applicant is requesting a Small Scale Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and a rezone from A-1 (Agriculture) to PUD (Planned Unit Development).

Mr. Watkins stated the requested PD Future Land Use designation will allow for the requested PUD zoning classification. The Applicant is proposing a maximum of 26,200 square feet of office or a 290-seat sit-down restaurant. The proposed PUD will allow for the permitted uses in the OP zoning district as well as the use of a restaurant.

Mr. Watkins further stated that there are a few conditions of approval for the restaurant and they are that the restaurant must be sit down only (no drive thru or fast food) and there shall be no outdoor amplification of sound permitted and the operating hours will be limited between 7:00 a.m. to 11:00 p.m. for the restaurant use only.

Mr. Watkins stated that Staff has evaluated the Small Scale Land Use Amendment and feels that it is compatible with the surrounding low density residential in that they have completed the Sensitive Site Design Standards that would be outlined in the Development Order in terms of the limitations of the development and also the Planned Development future land use which indicates that if they want to change the use in the future, they will have to come back for a Small Scale Land Use Amendment as well as a Major Amendment.

Mr. Watkins stated that the subject property is adjacent to the Low Density Residential FLU to the west, east and south. Therefore, the Active/Passive buffers are required per the Seminole County Land Development Code. At this point, the Applicant is requesting a waiver from the Active/Passive buffering standards.

Mr. Watkins stated that, for the southern property line, the Applicant is proposing a 15 foot buffer. He further stated that the Code would require a 50 foot active buffer. The setback they are requesting for a one-story building is 133 feet and anything over a one-story would be 149 feet and the Code requires 100 feet. The Applicant is not proposing a masonry wall. They are further proposing 4 canopy and 4 subcanopy facultative wetland trees every 100 linear feet and the Code requires 8 canopy trees every 100 linear feet. They are also proposing 20 facultative shrubs for every 100 feet.

Mr. Watkins stated that, for the eastern property line, the Applicant is proposing a 15 foot buffer, a 64 foot setback, no wall and 8 canopy trees every 100 feet.

For the western property line, the Applicant is proposing a 15 foot buffer, a 15 foot setback, no wall, and canopy facultative wetland trees planted 30 feet on center.

Staff has determined that the site conditions warrant a less intensive buffer primarily due to the existing wetlands that are south of the property in the Bear Gully Canal, the fact that they are providing some setback in excess of the Active/Passive standards and that they are going to try to restore some parts of the wetlands through the facultative canopy and subcanopy trees.

Mr. Watkins stated that Staff recommends approval of the Small Scale Future Land Use Amendment from Low Density Residential (LDR) to Planned Development (PD) and rezone for A-1 (Agriculture) to PUD (Planned Unit Development) for 1.55 ± acres;

located on the south side of Red Bug Lake Road, approximately 250 feet west of Red Bug Lake Road and Slavia Road.

Javier Omana of CPH Engineers, Inc. advised that he is speaking on behalf of the owner and concurs with the recommendation of Staff.

Commissioner Wolf asked Mr. Omana what they mean by “potential additional conservation area easement”. Is that the County or are they offering that.

Mr. Omana stated that they are offering that. He pointed out the areas in question and advised that they are proposing to restore the natural creek or stream.

Commissioner Wolf asked if this was part of mitigation.

Mr. Omana advised that is it part mitigation and part conservation.

Commissioner Tucker inquired as to whether this area is where there is approximately 50 feet of mud.

Mr. Omana advised that it is.

No one spoke in favor of this request from the audience.

Mike Kraus of 3173 Bothwell Court spoke in opposition of this request on behalf of the Red Bug Residential Coalition. Mr. Kraus advised that they are in support of development in this area, however, they have some conditions regarding this request that they would like to point out.

Mr. Kraus advised that they have had two meetings with Mr. Omana regarding this request and stated that their major issue is with the 4 story office as provided in the land plan. He advised that they would rather have a restaurant.

Mr. Kraus further stated that there is nothing over 3 story in this area occupied. They do not believe is this an appropriate transition for this area. He further stated that they also have issues with vehicular access as well as the proposed buffers.

Mr. Omana advised that both he and Mr. Stone have been very involved with the Red Bug Residential Coalition and Mr. Stone wants to be a good neighbor. Mr. Omana further advised that when they first made application for this change, they were seeking a land use change and concurrent rezoning to PCD (Planned Commercial Development). At Staff’s recommendation, they changed the request from a PCD to a PUD rezoning. Originally, the buildings would be between 57 and 75 feet tall. They have reduced the building height to 45 feet. They believe 45 feet is in keeping with the architectural scale of the corridor. Their neighbors to the east have a maximum building height of 45 feet and their neighbors to the west have a maximum of over 50 feet and

they feel that the maximum building height suggested by Staff is well within keeping with the scale for this corridor.

General discussion ensued regarding how building height is measured, the current zonings in the surrounding area and a proposed church.

Commissioner Chase asked if the apartments are 3 stories.

Mr. Watkins advised that he believed they are.

Commissioner Chase asked how many stories could there be with a maximum limit of 45 feet.

Mr. Watkins advised that it would be 4 stories maximum.

Commissioner Chase asked if this could potentially go higher than the apartments.

Mr. Watkins advised that in terms of the number of stories, yes.

Commissioner Day remarked that it would be in the number of stories, but the overall height would remain at 45 feet.

General discussion ensued regarding construction of office buildings, how the type of roof would determine how the building height was actually measured and elevator requirements for buildings.

Commissioner Wolf asked Mr. Omana if they have a copy of the list of concerns from the Red Bug Residential Coalition.

Mr. Omana advised that they do.

Commissioner Wolf asked Mr. Omana if they have complied with all the requests of the Coalition except for the building height.

Mr. Omana stated that the Applicant still has issues with the building height restriction and the request for outdoor dining on Red Bug only, but have met all other issues that they have concerns with.

General discussion ensued regarding this request.

**Commissioner Day made a motion to recommend approval the request with the stipulation that they meet with the Red Bug Residential Coalition prior to the Board of County Commissioner meeting.**

**Commissioner Wolf seconded the motion.**

**The motion passed unanimously 7 – 0.**

**11. CA Stone East Small Scale Land Use Amendment and Rezone; Javier Omana / CPH Engineers, Inc;** 7.36 ± acres; Small Scale Land Use Amendment from LDR (Low Density Residential) to PD (Planned Development) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development); located on the south side of Slavia Road, approximately 250 feet west of Red Bug Lake Road and Slavia Road. (Z2007-50/10-07SS.04)

Commissioner Dallari - District 1  
Austin Watkins, Senior Planner

Austin Watkins stated that this is a request for a Small Scale Land Use Amendment from LDR (Low Density Residential) to PD (Planned Development) and Rezone from A-1 (Agriculture) to PUD (Planned Unit Development); located on the south side of Slavia Road, approximately 250 feet west of Red Bug Lake Road and Slavia Road. The Applicant is proposing a maximum of 90,000 square feet of office with a sit down restaurant and a maximum building height of 45 feet or 4 stories. The proposed uses for the subject property are the uses allowed within the OP (Office) zoning district and sit down restaurants with no outdoor amplification of sound or outdoor bars. The Applicant also proposes to limit the hours of operation from 7 a.m. to 11 p.m. for the restaurant use. Mr. Watkins further stated that the proposed Future Land Use designation of Planned Development (PD) allows the requested Planned Unit Development (PUD) zoning classification.

Mr. Watkins advised that the Applicant is requesting a waiver of the Active/Passive Buffer standards as outlined in Section 30.1232 of the Seminole County Land Development Code.

Mr. Watkins stated that Staff recommends approval of the request.

Javier Omana spoke on behalf of the owners and addressed the issues that the Red Bug Residential Coalition has with this request. Mr. Omana advised that they do not agree with the 3 story, maximum 35 foot building height request; however, they believe they have met or will meet all other requests listed.

Commissioner Wolf, in referring to the proposed building renderings, stated that they show a 4<sup>th</sup> story and asked, if this request is approved, what would prevent them from extending the small 4<sup>th</sup> story to a full size 4<sup>th</sup> story across the entire building.

Mr. Omana advised that there are square foot limitations that they have to adhere to and the building rendering includes the maximum square foot limitation.

No one spoke in favor of this request from the audience.

Lynn Vouis spoke on behalf of Bob and Becky Navidomskis and stated that Mr. and Mrs. Navidomskis own the property to the west of the subject property and their concern with this request is that the original Development Order stated that they be granted cross access and the current plan does not address this.

Ms. Vouis further stated that they are in favor of the request even though the buffers are significantly less than required; however, if cross access is not granted to Mr. and Mrs. Navidomskis, they would have to continue to use their property as residential and the buffers that are currently required by County Code would need to remain in place.

Ms. Vouis also stated that if Mr. and Mrs. Navidomskis had an agreement, per the Development Order, they will have cross access on their property.

Commissioner Wolf asked if cross access is the same thing as an easement through the Applicant's property for egress from Slavia Road.

Ms. Vouis advised that is was.

Mike Kraus of 3173 Bothwell Court, spoke on behalf of the Red Bug Residential Coalition and reiterated their issue with the building height (occupancy level) requested by the Applicant as well as the buffer to the west.

Mr. Omana advised that they have never seen any request for an agreement for cross access through the Applicant's property and he would like to see a copy of this request if at all possible.

Mr. Omana further stated that the Applicant will do whatever he can do, within reason, to work with Mr. Navidomskis regarding the issue of cross access.

Mr. Omana also stated that their request for Class A office space is in keeping with the surrounding area.

Commissioner Tucker asked if Staff could address the cross access issues.

Larry Poliner advised that he has not looked at the cross access issue and he would have to look at it when they come with their Final Site Plan to determine whether that is appropriate for the site.

Commissioner Tucker asked if there are any existing County requirements for cross access easement.

Mr. Poliner advised that if it were necessary to improve traffic to the site, then yes.

Commissioner Tucker stated that it definitely would be an improvement and asked if Staff could confirm that there isn't a requirement.

Mr. Poliner advised that there isn't a requirement at this time.

General discussion ensued regarding cross access as it relates to the location of the proposed site, the property owned by Mr. and Mrs. Navidomskis, the adjacent properties and the flow of traffic.

Mr. Watkins discussed the conditions of the original (2001) Development Order for C.A. Stone PCD, as it pertains to cross access. Mr. Watkins advised that condition "H" of this Development Order stated that more feasible parking shall be master planned and should be located at the rear or side of the building. Shared property access and cross access easement between adjacent parcels shall be required to the east of the property unless Staff determines it is not feasible.

Mr. Watkins advised that he is not sure what their interpretation of adjacent is, but on the Denberg property, there is an existing cross access easement that they will be utilizing on that.

General discussion ensued regarding exactly where this cross access easement is located, at which time Mr. Watkins advised that it is located on the west side.

**Commissioner Eismann made a motion to recommend approval the request with the stipulation that cross access be granted to the property to the west of the subject property (the immediate adjacent property).**

**Commissioner Day seconded the motion.**

**Commissioner Eismann amended his motion to include the stipulation that the Applicants meet with the Red Bug Residential Coalition prior to the Board of County Commissioner meeting.**

**Commissioner Day accepted the amended motion.**

**The motion passed unanimously 7 – 0.**

**12. Savannah Park at Heathrow PUD Major Amendment; Savannah Meridian Acquisitions Group, applicant; 9.85 ± acres; Major Amendment to a Planned Unit Development (PUD); located on the west side of International Parkway, between Wilson Road and Wayside Drive.**  
**(Z2008-08)**

Commissioner Carey – District 5  
Austin Watkins, Senior Planner

Commissioner Day advised that she will not be voting on this item due to a conflict of interest and left the Chambers at this time.



Austin Watkins stated that this is a Major Amendment to the Savannah Park at Heathrow PUD and the property is approximately 9.85 acres located on the west side of International Parkway, between Wilson Road and Wayside Drive.

Mr. Watkins advised that on June 8, 2004, the Board of County Commissioners adopted a Large Scale Future Land Use Amendment and rezone for the Savannah Park PUD which includes town homes and also a Mixed Use Area portion commonly referred to as the "Exchange". The Exchange is the subject of this request.

Mr. Watkins stated that currently, the PUD allows for a maximum of 20 condominium units, 43,211 square feet of retail and 48,736 square feet of office uses within the mixed use portion of the PUD or the "Exchange". The Applicant is also requesting to increase the number of dwelling units from 20 to 60. The Applicant will not be increasing the size of the building; but instead, will offer smaller sized units. Additionally, the Developer's Commitment Agreement limits the units to condominiums and the applicant desires to remove that condition to have the ability to rent out the units as condominiums and apartments.

Mr. Watkins further stated that the requested increase in commercial square footage is 323 square feet and the requested increase in office square footage is 432 square feet. The proposed increases represent less than a 1% increase from the originally approved square footage for each use.

Mr. Watkins also advised that the Applicant desires to have the minimum parking requirements from the residential area of the Exchange reduced from 2 parking spaces per dwelling unit to 1.5 parking spaces per dwelling unit per Section 30.453 (d) of the Seminole County Land Development Code of the PUD zoning classification. The Board of County Commissioners has the ability to approve parking less than the current Seminole County Land Development standards.

Mr. Watkins stated that they are also requesting a reduction of 30 parking spaces. Staff has reviewed the parking study and determined that the reduction will not create any adverse impacts for the subject property or surrounding properties. The subject property contains 174 spaces for retail, 196 spaces for office and 90 spaces for residential. The retail and office parking provided meets the Land Development Code minimum parking standards.

Mr. Watkins stated that Staff recommends approval of the request.

Matthew West of Ivey Planning Group, spoke on behalf of the owners and welcomed any questions the Commission may have.

No one spoke in favor or opposition of this request from the audience.

General discussion ensued regarding the reduction of parking, how it would affect both the customers and the tenants of the subject property, and how the “market” will take care of it.

**Commissioner Chase made a motion to recommend approval of the request.**

**Commissioner Eismann seconded the motion.**

**Motion passed 3 – 1 with Commissioner Wolf voting “no” and Commissioner Day absent.**

**13. Denberg Commercial Center; Bob Ziegenfuss, applicant; 4.51 ± acres; Small Scale Land Use Amendment from Low Density Residential (LDR) to Commercial (COM) and Rezone from A-1 (Agriculture) to C-1 (Retail Commercial); located at the southeast corner of Palomino Way and Red Bug Lake Road. (Z2008-05/02-08SS.01)**

Commissioner Dallari – District 1  
Austin Watkins, Senior Planner

Commissioner Brown advised that the Applicant made a request to continue this item to the June 4 meeting.

**Commissioner Tucker made a motion to continue this item to the June 4 meeting per the request of the Applicant.**

**Commissioner Bates seconded the motion.**

**The motion passed unanimously 7 – 0.**

**14. Hawthorne Glen PUD Major Amendment (Boxley Plaza); Jack Reynolds, JHR Consultants, Inc., applicant; 1.48 acres; Major amendment to the Hawthorne Glen PUD for Boxley Plaza; located on the northwest corner of McCulloch Road and Old Lockwood Road. (Z2007-58)**

Ian Sikonia – Senior Planner  
Commissioner Dallari, District 1

Ian Sikonia stated that this is the Hawthorne Glen PUD Major Amendment, Addendum # 2 to Development Order #03-2050005, Addendum # 2 to the Hawthorne Glen PUD Developer’s Commitment Agreement and the revised Final Master Plan for 1.46 ± acres located on the northwest corner of the intersection of Old Lockwood and McCulloch Road.

Mr. Sikonia further stated that the Hawthorne Glen PUD Developer’s Commitment Agreement and Final Master Plan were approved by the Board of County

Commissioners on September 23, 2003. The first Addendum to the Development Order and Developer's Commitment Agreement were approved on December 12, 2006.

Mr. Sikonia advised that at this time, the Applicant is requesting to amend certain buffers, landscape, hours of operation, access, and permitted use requirements for commercial Tract F of the PUD. The Applicant is also requesting a modification to the existing approved buffers because of the 58.25 foot Progress Energy Easement lying on the eastern portion of the property. Due to the nature of the easement, the Applicant has been working with Progress Energy on allowable plantings within the easement.

Mr. Sikonia stated that he submitted a copy of a letter signed by Progress Energy which gives preliminarily approval for the plantings in the easement on the eastern and southern part of the subject property.

The Applicant is also requesting to change some of the permitted uses such as a limitation on drive thru facilities that will not allow major chain fast food restaurants; however, they are asking for a coffee/bakery drive thru, which is a moderate traffic generator. There are already other properties in this area with drive thru areas such as a bank on the southeast section of the intersection of Old Lockwood road and McCulloch Road. There are also adjacent single-family subdivisions that need to travel approximately 2 miles west to the intersection of McCulloch Road and Alafaya Trail to obtain most of their commercial shopping needs.

Mr. Sikonia stated that the next request is for a change to their hours of operation from 7:00 a.m. to 6:00 a.m. due to the fact that a majority of the business done for a coffee/bakery business is in the early morning hours.

The Applicant's next request is regarding access points. The approved Final Master Plan doesn't allow for an access point on Old Lockwood road due to the approved 50 foot Landscape Buffer on the eastern portion of the site. The Applicant is proposing a right in/right out access point near the northern portion of the eastern property line. The decrease in size of the landscape buffer along the eastern portion will allow for an access to accommodate and improve the circulation of the site to mitigate the proposed drive in facilities of the coffee/bakery and bank uses.

Mr. Sikonia stated that the subject site is located in an area of Seminole County which is mainly comprised of single-family subdivisions. To achieve a balanced mixtures of uses in this area; there is a need for some commercial development. The Hawthorne Glen PUD was designed as a mixed use development providing for a commercial center on the south east portion of the PUD.

Mr. Sikonia stated that some of the benefits of this proposed improvement are that they are utilizing some LEED suggested commitments such as designating hybrid car parking spaces, energy efficient mechanical equipment with the highest SEER rating, recognizing non-motorized traffic along the south side of the sight, and providing bicycle racks.

Mr. Sikonia stated that Staff recommends approval of the request.

Jim Hattaway, Attorney for the owner, advised that they are in agreement with Staff.

No one spoke in favor or opposition from the audience.

**Commissioner Chase made a motion to recommend approval of the request.**

**Commissioner Eismann seconded the motion.**

General discussion ensued regarding the fact that the property across from the subject property is a natural lands wildlife area and the natural vegetation is needed to block off this area from the subject property.

**Motion passed 6 – 1.**

**Commissioner Tucker voted “no”**

Commissioner Tucker suggested that they recognize Candace Hudson for her years of service to the Commission and Chairman Brown advised that he will take care of that.

There being no further business, the meeting was adjourned at 12:32 a.m.

Respectfully submitted,

Connie R. DeVasto